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Receipt

JC07 Rec'd PCT/PTO 30 JUL 2001

PATENT APPLICATION RECEIVED

Attorney Docket No.: A-68285/RMS/DHR

NOV 08 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TECH CENTER 1600/2900

In re application of:

Ying LUO, et al.

Serial No.: 09/762,491

Filing Date: May 9, 2001

For: *Novel Apoptosis Proteins*

Examiner: Not Yet Known

Group Art Unit: 1653

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Office of Initial Patent Examination, Customer Service Center, Assistant Commissioner for Patents, Washington, D.C. 20231 on July 25 2001

Signature: *Gene Valler*

**REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT**

Office of Initial Patent Examination  
Customer Service Center  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Appended hereto is a copy of the Official Filing Receipt for the above-identified patent application with errors indicated in red.

Under FIL FEE REC'D, please correct as follows:

Change "724" to --669--.

Under TOT CLAIMS, please correct as follows:

Change "1" to --26--.

Under IND CLAIMS, please correct as follows:

Change "1" to --4--.

Under Domestic Priority data as claimed by applicant, please add the following information after "8/06/1999":

--Claiming benefit of 60/099,486 09/08/1998

Serial No.: 09/762,491  
Filed: May 9, 2001  
Group Art Unit: 1653

Claiming benefit of 60/095,590 08/06/1998

Claiming benefit of 60/095,587 08/06/1998--.

The filing fee was \$669.00 for twenty six (26) claims, four (4) of which are independent. Applicant encloses a copy of page 2 of the Transmittal Letter, PTO Form 1390, showing the calculation of the filing fee and a copy of the check in the amount of \$669.00. If the difference between the filing fee of \$669.00 and the amount listed on the Filing Receipt of \$724.00 was charged to the undersigned's Deposit Account 06-1300, we respectfully request a refund of \$55.00 be credited to this Account.

The three provisional applications were listed on the top of the second page of the Declaration filed with the Transmittal of Missing Requirements Under 35 U.S.C. 371 on May 9, 2001, copy enclosed.

Because the errors were caused by the Patent Office, it is believed that no fee is necessary. However, if this belief is in error, the Assistant Commissioner is authorized to charge any fee which may be required, or credit any overpayment to Deposit Account No. 06-1300 (Our File No. A-68285/RMS/DHR).

Respectfully submitted,

FLEHR HOHBACH TEST  
ALBRITTON & HERBERT LLP

By



Robin M. Silva  
Reg. No. 38,304

Suite 3400  
Four Embarcadero Center  
San Francisco, California 94111-4187  
Telephone: (415) 781-1989  
Facsimile: (415) 398-3249

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NOV 08 2001

## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/762,491	05/09/2001	1653	<del>724</del> 669	A- 68285/RMS/	8	<del>4</del> 26	<del>4</del> 4

CONFIRMATION NO. 4855

## FILING RECEIPT



\*OC000000006189463\*

Flehr Hohbach Test  
Albritton & Herbert  
Suite 3400  
Four Embarcadero Center  
San Francisco, CA 94111

Date Mailed: 06/15/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Ying Luo, Los Altos, CA;  
Betty Huang, San Leandro, CA;  
Mary Shen, Newark, CA;  
Peiwen Yu, Cupertino, CA;

## Domestic Priority data as claimed by applicant

THIS APPLICATION IS A 371 OF PCT/US99/17776 08/06/1999

CLAIMING BENEFIT OF 60/089,486 09/03/1998  
Foreign Applications CLAIMING BENEFIT OF 60/095,580 08/06/1998  
CLAIMING BENEFIT OF 60/095,587 08/06/1998

Projected Publication Date: N/A

Non-Publication Request: No

Early Publication Request: No

\*\*\* SMALL ENTITY \*\*

Title

Novel apoptosis proteins

**Preliminary Class**

435

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**Data entry by : ORDENEZ, MARTA**

**Team : OIPE**

**Date: 06/15/2001**



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**Title 35, United States Code, Section 184**  
**Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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**PLEASE NOTE the following information about the Filing Receipt:**

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 500 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, DC 20231

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.53)

INTERNATIONAL APPLICATION NO.  
PCT/US99/17776ATTORNEY'S DOCKET NUMBER  
A-68285/RMS/DHR17. ☒ The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):**Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO ..... \$1000.00International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but International Search Report prepared by the EPO or JPO ..... \$750.00International preliminary examination fee (37 CFR 1.482) not paid to USPTO  
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$710.00International preliminary examination fee paid to USPTO (37 CFR 1.482)  
but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$690.00International preliminary examination fee paid to USPTO (37 CFR 1.482)  
and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00**ENTER APPROPRIATE BASIC FEE AMOUNT =** \$750.00Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☒ 30  
months from the earliest claimed priority date (37 CFR 1.492(e)).

\$130.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	26	-20 =	6	X \$18.00	108.00
Independent claims	4	-3 =	1	X \$80.00	80.00
Multiple dependent claims (if applicable)				+ \$270.00	\$270.00

**TOTAL OF ABOVE CALCULATIONS =** 1,338.00☒ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by  
1/2.

\$669.00

**SUBTOTAL =** 669.00Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(f)).

+

\$

**TOTAL NATIONAL FEE =** 669.00Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by  
an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property

+

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**TOTAL FEES ENCLOSED =** 669.00Amount to be:  
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charged \$

- a. ☒ A check in the amount of \$ 669.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 06-1300 in the amount of \$ \_\_\_\_\_ to cover the above fees.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment  
to Deposit Account No. 06-1300 (Order No. A-68285/RMS/DHR).

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Robin M. Silva, Esq.  
FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP  
Four Embarcadero Center, Suite 3400  
San Francisco, California 94111-4187  
Telephone: (415) 781-1989

SIGNATURE

Robin M. Silva  
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Invoice Date	Invoice No.	Matter ID
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